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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,564	04/27/2006	Jacobus Cornelis Haartsen	P17303-US1	2815
27045 7590 04/03/2009				
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024				
EXAMINER				
HSIEH, PING Y				
ART UNIT		PAPER NUMBER		
2618				
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04/03/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/595,564

Applicant(s)

HAARTSEN, JACOBUS
CORNELIS

Examiner

PING Y. HSIEH

Art Unit

2618

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 23 March 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____
Claim(s) objected to: _____
Claim(s) rejected: 1-18
Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____

/Lana N. Le/
Primary Examiner, Art Unit 2614

Continuation of 11. does NOT place the application in condition for allowance because: In pages 7-9 of the remarks, regarding claims 1 and 11, applicant argues that:

a) Kao does not teach a plurality of signal sources and the modification of the signals from that plurality by using the modified signals of each signal source to further modify the signals for the radio access unit.

The examiner respectfully disagrees. The examiner wants to point out that the applicant should consider the combination of the references as a whole. The combination indeed discloses a plurality of signal sources (Kao, plurality of signals 80 as disclosed in fig. 4 and paragraph 21); and the modification of the signals from that plurality by using the modified signals of each signal source to further modify the signals for the radio access unit (Kao, weighting signals as disclosed in fig. 5 and Mesecher, subtracting weighting signal received by the narrow beam directional antenna 145 from the signal received from the main antenna 143 as disclosed in fig. 10 and col. 8 lines 27-36).

b) Mesecher discloses receiving, by more than one antenna, first and second signals from a single source, which is opposite of the limitations in claims 1 and 11.

The examiner respectfully disagrees. Mesecher indeed discloses receiving by more than one antenna, first and second signals from different sources (signals received by main antenna 143 and signals received by narrow beam directional antenna 145 are from different sources as disclosed in col. 8 lines 21-36).

c) the combination of Kao and Mesecher is not obvious because first, Kao teaches adding signals, and second, Mesecher, as in Kao does not disclose using the modified signals from each mobile communication unit to perform weighed signal from a first unit is subtracted from a weighed signal from a second unit.

The examiner respectfully disagrees. First, Kao discloses an adder 58 to sum all the weighed base band signals as disclosed in paragraph 31; and Mesecher discloses summer 149 to subtract weighed signal from interferences as disclosed in col. 8 lines 27-36. Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the adder 58 to be able to subtract signals as disclosed by Mesecher. One is motivated as such in order to reduce interference. Second, the combination indeed discloses using the modified signals from each mobile communication unit to perform weighed signal from a first unit is subtracted from a weighed signal from a second unit (Mesecher, subtracting weighting signal received by the narrow beam directional antenna 145 from the signal received from the main antenna 143 as disclosed in fig. 10 and col. 8 lines 27-36).

d) neither Kao nor Mesecher teach or suggest performing the iterative steps of the recited method for each received signal, one signal at a time. Kao and Mesecher do not teach or suggest receiving a plurality of signals, and for each received signal, correcting the signal iteratively.

The examiner respectfully disagrees. The combination indeed discloses receiving a plurality of signals, and for each received signal, correcting the signal iteratively (Kao, weighting signals as disclosed in fig. 5 and Mesecher, subtracting weighting signal received by the narrow beam directional antenna 145 from the signal received from the main antenna 143 as disclosed in fig. 10 and col. 8 lines 27-34).

e) Walton's signals being modified are signals received by a terminal from a MIMO antenna, which is opposite of the applicant's claims where a plurality of mobile communication units transmits to a multi-element antenna.

The examiner respectfully disagrees. Walton also discloses a plurality of mobile communication units transmits to a multi-element antenna as disclosed in fig. 1 and fig. 5.